

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO AWARD A CONSTRUCTION CONTRACT FOR THE SILICON VALLEY INTELLIGENT TRANSPORTATION SYSTEMS ENHANCEMENT PROJECT TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$1,300,000, AND APPROVAL OF A TEN PERCENT CONTINGENCY, FOR A TOTAL AMOUNT NOT TO EXCEED \$1,430,000**

**WHEREAS**, the Silicon Valley Intelligent Transportation Systems (SV-ITS) is a regional partnership consisting of 12 local, county and state agencies that work collectively to deploy ITS technology to manage traffic congestion and reduce travel delays resulting from day-to-day commute; incidents and planned events; and

**WHEREAS**, the Department of Transportation of the City of San José serves as the program administrator and lead design agency for the regional SV-ITS Program; and

**WHEREAS**, the SV-ITS Enhancement Project will extend the SV-ITS communication network to the Town of Los Gatos and the City of Santa Clara to enhance the regional Intelligent Transportation Systems infrastructure ("Project"); and

**WHEREAS**, the City of San José ("City") desires to award a construction contract for the Project on an expedited basis in order to meet grant fund expiration deadlines; and

**WHEREAS**, the City desires to authorize the Director of Public Works to award the contract for construction of the Project to the lowest responsive and responsible bidder, so long as the amount of the bid plus the contingency does not exceed \$1,430,000;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:**

The Director of Public Works is hereby authorized to take the following actions with respect to the Silicon Valley Intelligent Transportation Systems (SV-ITS) Enhancement Project:

1. Decide any timely bid protests, including any issues of bidder responsiveness or responsibility; and
2. Make the City's final determination as to the lowest responsive and responsible bidder; and
3. Award a contract for the construction of the Silicon Valley Intelligent Transportation Systems (SV-ITS) Enhancement Project to the lowest responsive and responsible bidder, with a contingency in the amount of ten percent (10%) of the total contract award amount, so long as the amount of the bid plus the contingency does not exceed \$1,430,000; or
4. In the alternative, reject all bids and rebid the Project.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk